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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Okawa et al

Application No.

Filed: April 6, 2001

ELECTRONIC EQUIPMENT AND

METHOD FOR PROCESSING DIGITAL:

SERIAL DATA AT BUS

INITIALIZATION PHASE IN

INTERFACE UNIT

Box DAC

Commissioner for Patents Washington, D.C. 20231

Date: April 9, 2001

RECEIVED

APR 2 3 2001

## AFFIDAVIT OF PHYLLIS KELLY

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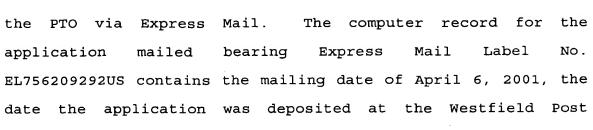
OFFICE OF PETITIONS

Sir:

- I, PHYLLIS KELLY, declare as follows:
- 1. I am employed by the firm of Lerner, David, Littenberg, Krumholz & Mentlik, LLP as the manager of U.S. Patent and Trademark Administration. It is one of my responsibilities to ensure that all correspondence mailed to the U.S. Patent and Trademark Office (PTO) via Express Mail includes a receipt date of the "date-in" on the Express Mail label.
- 2. On April 9, 2001, and in accordance with my normal practice, at approximately 9:15 a.m., I reviewed the Express Mail labels for all documents hand-carried to the Westfield Post Office for delivery to the PTO on Friday, April 6, 2001. I determined that the postal clerk had entered the wrong "date-in" on one of the labels. The label is identified as Express Mail Label No. EL756209292US.
- 3. In accordance with the firm's normal practice, a USPS computer record is obtained for each document mailed to

Office.





- 4. On April 9, 2001, I contacted Shawn Boyle, the Supervisor of Customer Service at the Westfield Post Office. I was advised by Mr. Boyle that the last scheduled pickup of "Express Mail Post Office to Addressee" service on business days is 6:00 p.m. Mr. Boyle also confirmed that on April 6, 2001, the last scheduled pickup was 6:00 p.m.
- 5. These statements are being made within one business day after the occurrence.

Date

STATE OF New Jersey

: ss:

COUNTY OF Union

On this  $9^{\text{th}}$  day of April, 2001, before me personally came the above-named Phyllis Kelly to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that the same was executed by her of her own free will for the purposes therein set forth.

Notary Public

304167 I.DOC

SUZANNE KAHALY A Notary Public of New Jersey

My Commission Expires January 31, 2005